



## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2021-0018]

#### Pipeline Safety: Request for Special Permit; Tejas Pipeline, LLC

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice.

**SUMMARY:** PHMSA is publishing this notice to solicit public comments on a request for special permit received from the Tejas Pipeline, LLC (Tejas). The special permit request is seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. At the conclusion of the 30-day comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

**DATES:** Submit any comments regarding this special permit request by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Web Site:* <http://www.Regulations.gov>. This site allows the public to enter comments on any Federal Register notice issued by any agency.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590.
- *Hand Delivery:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except

Federal holidays.

*Instructions:* You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two (2) copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

*Note:* There is a privacy statement published on <http://www.Regulations.gov>. Comments, including any personal information provided, are posted without changes or edits to <http://www.Regulations.gov>.

*Confidential Business Information:* Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 Code of Federal Regulations (CFR) § 190.343, you may ask PHMSA to give confidential treatment to information you give to the agency by taking the following steps: (1) mark each page of the original document submission containing CBI as “Confidential”; (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Kay McIver, DOT, PHMSA-PHP-80, 1200 New Jersey Avenue, SE, Washington, DC 20590-0001. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket for this matter.

**FOR FURTHER INFORMATION CONTACT:**

*General:* Ms. Kay McIver by telephone at 202-366-0113, or by e-mail at [kay.mciver@dot.gov](mailto:kay.mciver@dot.gov).

*Technical:* Mr. Steve Nanney by telephone at 713-272-2855, or by e-mail at [steve.nanney@dot.gov](mailto:steve.nanney@dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

PHMSA received a special permit request from Tejas, a subsidiary of Kinder Morgan, Inc., seeking a waiver from the requirements of 49 CFR § 192.611(a) and (d), Change in class location and Confirmation or revision of maximum allowable operating pressure; and 49 CFR § 192.619(a), Maximum allowable operating pressure: Steel or plastic pipelines. This special permit is being requested in lieu of pipe replacement, pressure testing, or pressure reduction for three (3) pipeline segments totaling 717 feet (approximately 0.136 miles) of 30-inch and 36-inch diameter pipe on the Mustang Mainline 1 Pipeline located in Nueces County, Texas, and 882 feet (approximately 0.167 miles) of 30-inch diameter pipe on the King Ranch to Lovell Pipeline located in Harris County, Texas. The proposed special permit will allow operation of the original Class 1 or Class 2 pipe in the Class 3 locations.

The proposed special permit segments on the Mustang Mainline 1 Pipeline have a maximum allowable operating pressure (MAOP) of 915 pounds per square inch gauge (psig) and were constructed in 1959 and 1964. The proposed special permit segment on the King Ranch to Lovell Pipeline has a MAOP of 715 psig and was constructed in 1958.

The special permit request, proposed special permit with conditions, and Draft Environmental Assessment (DEA) for the Tejas Mustang Mainline 1 and King Ranch to Lovell Pipelines are available for review and public comments in Docket No. PHMSA-2021-0018. PHMSA invites interested persons to review and submit comments on the special permit request and DEA in the docket. Please include any comments on potential safety and environmental impacts that may result if the special permit is granted. Comments may include relevant data.

Before issuing a decision on the special permit request, PHMSA will evaluate all comments received on or before the comments closing date. Comments received after the closing date will be evaluated, if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment it receives in making its decision to grant or deny this special permit request.

Issued in Washington, DC on April, 2021, under authority delegated in 49 CFR 1.97.

**Alan K. Mayberry,**

*Associate Administrator for Pipeline Safety.*

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